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U.S. DISTRICT COURT E.D.N.Y.
★ MAR 17 2006 ★

P.M. _____
TIME A.M. _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GARDEN CITY BOXING CLUB, INC.,
as Broadcast Licensee of the September 18, 2004
DeLaHoya/Hopkins Program,

Plaintiff,

05 CV 4655 (SJ)

- against -

ORDER

RON RAYMOND, Individually and d/b/a
ECONOMY II a/k/a AMERICAN & MEXICAN
RESTAURANT, and ECONOMY II a/k/a
AMERICAN & MEXICAN RESTAURANT,

Defendants.
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A P P E A R A N C E S:

LONSTEIN LAW OFFICE, P.C.

Julie Cohen Lonstein, Esq.

1 Terrace Hill, Box 351

Ellenville, NY 12428

JOHNSON, Senior District Judge:

Before the Court is a Report and Recommendation ("the Report"), prepared by Magistrate Judge Joan M. Azrack¹ in response to an order of this Court dated January 11, 2006.² Judge Azrack filed the Report on February 10, 2006 and provided the parties until February 20, 2006 to file any objections. No objections have been filed.

¹The Court thanks Judge Azrack for her efforts in this regard and for the thorough and thoughtful Report she prepared.

²Familiarity with the facts and procedural posture of the case are presumed.

CW

A district court judge may designate a magistrate judge to hear and determine certain motions pending before the Court and to submit to the Court proposed findings of fact and a recommendation as to the disposition of the motion. See 28 U.S.C. § 636(b)(1). Within 10 days of service of the recommendation, any party may file written objections to the magistrate's report. Id. Upon *de novo* review of those portions of the record to which objections were made, the district court judge may affirm or reject the recommendations. Id. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the report and recommendation to which no objections are addressed. See Thomas v. Arn, 474 U.S. 140, 150 (1985).

As mentioned, no objections were filed within the allotted time period. Thus, upon review, the Court adopts and affirms the Report and Recommendation in its entirety. Judgment shall be entered against the defendants, Ron Raymond Individually and d/b/a Economy II a/k/a/ American & Mexican Restaurant, and Economy II a/k/a/ American & Mexican Restaurant, jointly and severally, in the amount of \$12,850, reflecting \$1,000 in statutory damages, \$10,000 for the willful violation of the statute, as well as \$1,850 for attorneys' fees and costs. Further, the plaintiff's request for pre-judgment interest and a permanent injunction is denied. The Clerk of the Court is directed to close the case.

SO ORDERED.

Dated: March 14, 2006
Brooklyn, NY

s/SJ

Senior U.S.D.J.